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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PENDLETON DIVISION

OREGON FIREARMS FEDERATION,)
INC., et al.,)
Plaintiffs,) Civil No.
v.) 2:22-cv-01815-IM
(Lead Case)
TINA KOTEK, et al.,) Civil No.
Defendants.) 3:22-cv-01859-IM
(Trailing Case)
(Continued)) Civil No.
) 3:22-cv-01862-IM
(Trailing Case)
) Civil No.
) 3:22-cv-01869-IM
(Trailing Case)
)

* VIDEOCONFERENCE *

DEPOSITION UPON ORAL EXAMINATION

OF EXPERT

ROBERT J. SPITZER

Witness located in:

Williamsburg, Virginia

* All participants appeared via videoconference *

DATE TAKEN: April 5, 2023
REPORTED BY: Tia B. Reidt, Washington RPR, CCR #2798
Oregon #22-0001

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1 _____
2 (continued))
3 MARK FITZ, et al.,)
4 Plaintiffs,)
5 v.)
6 ELLEN F. ROSENBLUM, et al.,)
7 Defendants.)
8 _____
9 KATERINA B. EYRE, et al.,)
10 Plaintiffs,)
11 v.)
12 ELLEN F. ROSENBLUM, et al.,)
13 Defendants.)
14 _____
15 DANIEL AZZOPARDI, et al.,)
16 Plaintiffs,)
17 v.)
18 ELLEN F. ROSENBLUM, et al.,)
19 Defendants.)
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1 APPEARANCES

2 For Oregon Firearms Federation:

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1 firearms with a magazine capacity of 10 or more -- or
2 large-capacity magazines, are they in common use in the
3 United States?

4 A. Well, it all depends on how one defines the
5 term "common use." They certainly are prolific.

6 Q. Well, are there more of them than 100,000?

7 A. Sorry. You're talking about more
8 large-capacity magazines?

9 Q. Yeah. Do you think there are more than
10 100,000 in circulation?

11 A. Oh, I believe it's more in the tens of
12 millions at this point.

13 Q. Okay.

14 Do you routinely keep track of and read the
15 United States Supreme Court cases regarding Second
16 Amendment issues?

17 A. I have read Supreme Court decisions on the
18 Second Amendment, yes.

19 Q. Like Heller and McDonald and Bruen?

20 A. Yes.

21 Q. And do you have an opinion about how the
22 justices used history in those cases?

23 A. Yes. The answer is badly.

24 Q. Can you tell me why they used it badly?

25 A. Well, history is not a perfect science, but

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C E R T I F I C A T E

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3 STATE OF WASHINGTON

4 COUNTY OF PIERCE

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6 I, Tia Reidt, a Certified Court Reporter in
7 and for the State of Washington, do hereby certify that
8 the foregoing transcript of the deposition of ROBERT J.
9 SPITZER, having been duly sworn, on April 5, 2023, is
10 true and accurate to the best of my knowledge, skill
11 and ability. Reading and signing was requested pursuant
12 to FRCP Rule 30(e).

13 IN WITNESS WHEREOF, I have hereunto set my
14 hand and seal this 11th day of April, 2023.

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/S/ Tia B. Reidt
Tia B. Reidt, RPR, CCR #22-0001
NOTARY PUBLIC, State of
Washington.
My commission expires
5/15/2026.

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